

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : DiPoto et al. Art Unit : 3731
Serial No. : 09/447,228 Examiner : G. Jackson
Filed : November 22, 1999 Conf. No. : 3547
Title : SUTURE ANCHOR AND DRIVE ASSEMBLY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF JUNE 22, 2006

In reply to the Notice of Non-Compliant Amendment of June 22, 2006, Applicant submits the following remarks.

The Notice indicates that the amendments filed on June 5, 2006 do not comply with 37 CFR 1.121 and, therefore, the amendments are non-compliant. However, the present application is a re-issue application. As a result, amendments in this application are governed by 37 CFR 1.173. Applicant submits that the amendments filed on June 5, 2006 comply with 37 CFR 1.137 and that, accordingly, the Notice is improper. As such, Applicant requests withdrawal of the Notice and entry of the amendments filed June 5, 2006.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/24/06



Kevin E. Greene
Reg. No. 46,031

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331